

REMARKS

Reconsideration is respectfully requested. Claim 17 was pending. Claim 17 is amended. New claims 21 and 22 are added.

Claim 17 is rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The Examiner states that the word "namely" can lead to some degree of ambiguity. The Applicant agrees with the Examiner that the word "namely" leads to some degree of ambiguity and decides to delete this word in the claim 17 so that claim 17 will now read: "...game elements consisting of meteorites and space waste, randomly moving in space outside the Earth; ..."

Claim 17 is rejected under 35 U.S.C. §102(b) as allegedly being anticipated by Kitazawa (JP 05-286500). Applicant respectfully traverses.

The Examiner has acknowledged that invention by Kitazawa (JP 05-286500) is not relevant to game. Nevertheless he asserts that invention by Kitazawa and claimed invention have the same structure. The Applicant respectfully disagrees. He believes that there are important features presented in the description of the claimed invention comprising substantial differences toward to the structure of the invention by Kitazawa. Unfortunately

these features may not have been properly emphasized in the claim.

So the Applicant thanks the Examiner for the pointer and decides to amend the claim 17:

"... game events assessment means, located on board a space vehicle and being game fields reliably separated from each other and provided with identification markers, and

a technical facility for registering game events, defined as collisions of some game fields with one or more of said game elements, said technical facility located on board a space vehicle and comprising sensors generating signals about collisions to be included into the game event occurrence data, along with information about exact game field identification marker and exact time of each collision; ..."

In the Response to Arguments portion of the action "... the Examiner suggests that Applicant claims to the method of playing a space game". The Applicant thanks the Examiner for the suggestion and decides to introduce additional claims 21 and 22:

21. method of playing a space game using the said device for playing a space game as Generator of Random Numbers and further following the gaming procedure of conventional roulette.

22. method of playing a space game using the said device for playing a space game as Generator of Random Numbers and further following the gaming procedure of conventional lottery.

Entry of these new claims and the amendment to claim 17 is respectfully requested. The amendments were not earlier presented because it was believed that the claims were clear and explicit in defining over the art, but the Examiner's comments in the final action provided some guidance to the Applicant that had not earlier been apparent, and Applicant considered the Examiner's comments and suggestion to make claims to method of playing a game.

In light of the above noted amendments and remarks, this application is believed in condition for allowance and notice thereof is respectfully solicited. The Examiner is asked to contact applicant's attorney at 503-224-0115 if there are any questions.

It is believed that no fees are due with this filing. However, if it is determined that fees are required to keep the application pending, please charge deposit account 503036. If a refund is owed, please refund deposit account 503036.

Respectfully submitted,

  
James M. Walters, Reg. No. 39,711

Customer number 802  
patenttm.us  
P.O. Box 82788  
Portland, Oregon 97282-0788 US  
(503) 224-0115  
DOCKET: V-177

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